

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

**JESSICA ELLIOTT, INDIVIDUALLY  
& O/B/O L.T.T., A.J.T., & C.M.E.  
(MINORS),**

**Plaintiff,**

**v.**

**VINCENT TUCKER, *et al.*,**

**Defendants.**

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**Civil Action No. 4:22-cv-00135-O-BP**

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

The United States Magistrate Judge made Findings, Conclusions, and a Recommendation in this case. No objections were filed, and the Magistrate Judge's Recommendation is ripe for review. The District Judge reviewed the proposed Findings, Conclusions, and Recommendation for plain error. Finding none, the undersigned District Judge believes that the Findings and Conclusions of the Magistrate Judge are correct, and they are accepted as the Findings and Conclusions of the Court.

Accordingly, it is **ORDERED** that the Motions to Dismiss (ECF Nos. 16, 28) are **GRANTED** and **DISMISSED without prejudice** as to Elliott's claims against Jackson and McMillon for failure to serve process properly and as to any claims Elliott made on behalf of her children. Because some of Elliott's claims are not actionable as a matter of law, it is **ORDERED** that the Motions to Dismiss are **GRANTED** as to Defendants Boysen, McMillon, Jackson, and Buckhalton named in Counts I and II of the Complaint, and as to Buckhalton and Boysen sued under § 1983 for abuse of process (Count IV of the Complaint), malicious prosecution (Count V), and interference with custody (unnamed Count), and those claims are **DISMISSED with prejudice**.

**SO ORDERED** this **15th** day of **December, 2022**.

  
Reed O'Connor  
UNITED STATES DISTRICT JUDGE